

SUBMISSION UNDER MPEP 609 D Page 1 of 3	Application Number	09/863,600
	Filing Date	23 May 2001
	First Named Inventor	SMITH-SWINTOSKY
	Group Art Unit	N/A / 53
	Examiner Name	N/A MOHAMED
	Attorney Docket Number	ORT-1436

#### U.S. PATENT DOCUMENTS

Examiner Initials	Cite No. <sup>1</sup>	Name of Patentee or Applicant of Cited Document	U.S. Patent Document		Pages, Columns, Lines, where relevant passages or relevant figures appear
			Number	Kind Code <sup>2</sup> (if known)	
AM			US 5,571,787	514	12
			US 5,643,575	424	194-1
			US 5,688,679	435	240-2
			US 5,696,080	514	2
			US 5,700,909	530	326
			US 5,714,459	514	2
			US 5,767,078	514	12
			US 5,773,569	514	300

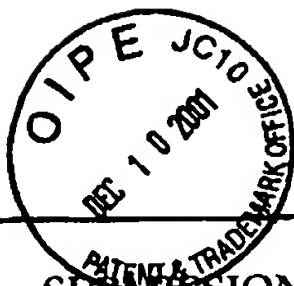
#### FOREIGN PATENT DOCUMENTS

Examiner Initials	Cite No. <sup>1</sup>	Name of Patentee or Applicant of Cited Document	Foreign Patent Document			Pages, Columns, Lines, where relevant passages or relevant figures appear	T <sup>4</sup>
			Office <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup>		
AM				EPO 640619			
				WO 94/12650			
				WO 95/03821			
				WO 99/05268			
				WO 99/11781			
				WO 99/21966			
				WO 99/38890			

#### OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS

Examiner Initials <sup>6</sup>	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T <sup>2</sup>
AM		B. S. Beckman and M. Mason-Garcia, "Signal Transduction in Erythropoiesis", <i>The FASEB Journal</i> (1991) 5(14): 2958-2964.	
		Bernaudin et al., "A Potential Role for Erythropoietin in Focal Permanent Cerebral Ischemia in Mice", <i>J. Cereb. Blood Flow Metab.</i> (1999) 19:643-51.	
		Brint et al., "Focal Brain Ischemia in the Rat: Methods for Reproducible Neocortical Infarction Using Tandem Occlusion of the Distal Middle Cerebral and Ipsilateral Common Carotid Arteries", <i>J. Cereb. Blood Flow Metab.</i> (1988) 8(4):474-485.	
		Campana et al., "Identification of a Neurotrophic Sequence of Erythropoietin", <i>Inter. J. Mol. Med.</i> (1998) 1:235-241.	
		Eschbach et al., "Correction of the Anemia of End-stage Renal Disease with Recombinant Human Erythropoietin: Results of a Combined Phase I and II Clinical Trial", <i>New Engl. J. Med.</i> (1987) 316(2): 73-78.	

Examiner Signature	Abdel A. Mohamed	Date Considered	11/13/03
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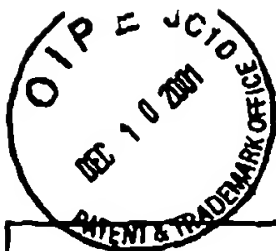
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AM		Genc et al., "Erythropoietin Exerts Neuroprotection in 1-methyl-4-phenyl-1,2,3,6-tetrahydropyridin-treated C57/BL Mice Via Increasing Nitric Oxide Production", <i>Neuroscience Letters</i> (2001) 298:139-141.	
		Johnson et al., "Identification of a 13 Amino Acid Peptide Mimetic of Erythropoietin and Description of Amino Acids Critical for the Mimetic Activity of EMP1", <i>Biochemistry</i> (1998) 37:3699-3710.	
		Johnson et al., "Amino-Terminal Dimerization of an Erythropoietin Mimetic Peptide Results in Increased Erythropoietic Activity", <i>Chemistry &amp; Biology</i> (1997) 4(12):939-950.	
		Juul et al., "Immunohistochemical Localization of Erythropoietin and its Receptors in the Developing Human Brain", <i>Pediatr. Dev. Pathol.</i> (1999) 2(2):148-158.	
		Juul et al., "Erythropoietin and Erythropoietin Receptor in the Developing Human Central Nervous System", <i>Pedr. Res.</i> (1998) 43(1):40-49.	
		Juul et al., "Erythropoietin in the Cerebrospinal Fluid of Neonates who Sustained CNS Injury", <i>Ped. Res.</i> (1999) 46(5):543-547.	
		Konishi et al., "Trophic Effect of Erythropoietin and Other Hematopoietic Factors on Central Cholinergic Neurons In Vitro and In Vivo", <i>Brain Res.</i> (1993) 609:29-35.	
		Koshimura et al., "Effects of Erythropoietin on Neuronal Activity", <i>J. Neurochem.</i> (1999) 72(6):2565-2572.	
		Sanford B. Krantz et al., "Erythropoietin", <i>Blood</i> (1991) 77(3): 419-434.	
		Marti et al., "Detection of Erythropoietin in Human Liquor: Intrinsic Erythropoietin Production in the Brain", <i>Kidney Int.</i> (1997) 51(2):416-418.	
		Masuda et al., "A Novel Site of Erythropoietin Production: Oxygen-Dependent Production in Cultured Rat Astrocytes", <i>J. Biol. Chem.</i> (1994) 269(30):19488-19493.	
		Mattson et al., "Calcium, Free Radicals and Excitotoxic Neuronal Death in Primary Cell Culture", <i>Methods Cell Biol.</i> (1994) 46:187-216.	
		Morishita et al., "Erythropoietin Receptor is Expressed in Rat Hippocampal and Cerebral Cortical Neurons, and Erythropoietin Prevent In Vitro Glutamate-Induced Neuronal Death", <i>Neurosci.</i> (1997) 76(1):105-116.	
		Nakamura et al., "Elevated Levels of Erythropoietin in Cerebrospinal Fluid of Depressed Patients", <i>Amer. J Med. Sci.</i> (1998) 315:199-201.	
		Sadamoto et al., "Erythropoietin Prevent Place Navigation Disability and Cortical Infarction in Rats with Permanent Occlusion of the Middle Cerebral Artery", <i>Biochem. Biophys. Res. Comm.</i> (1998) 253:26-32; Article No. RC989748.	
		Sakanaka et al., "In Vivo Evidence that Erythropoietin Protects Neurons from Ischemic Damage", <i>Proc. Natl. Acad. Sci.</i> (1998) 95:4635-4640.	
AM		Silva et al., "Erythropoietin Can Promote Erythroid Progenitor Survival by Repressing Apoptosis Through Bcl-XL and Bcl-2", <i>Blood</i> (1996) 88(5):1576-1582.	

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Am		Smith-Swintosky et al., "Protease-Activated Receptor 2 (PAR-2) is Present in the Rat Hippocampus and is Associated with Neurodegeneration", <i>J. Neurochem.</i> , (1997) 69:1890-1896.	
Am		Tabira et al., "Neurotrophic Effect of Hematopoietic Cytokines on Cholinergic and Other Neurons In Vitro", <i>Int. J. Dev. Neurosci.</i> (1995) 13(3/4):241-252.	
Am		Winearls et al., "Effect of Human Erythropoietin Derived From Recombinant DNA on the Anaemia of Patients Maintained by Chronic Haemodialysis", <i>Lancet</i> (1986) 2(8517):1175-1177.	

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